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September 23, 1998

FILE: UTXC:506

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:

September 23, 1998 *David W. Hibler*  
Date David W. Hibler

Assistant Commissioner for Patents  
Washington, DC 20231

RE: *U. S. Patent Application Serial No. 09/026,459 "MODIFIED  
RETINOBLASTOMA TUMOR SUPPRESSOR PROTEINS" - Hong-Ji Xu et al.  
Client Ref. (UTMDACC:506)*

Sir:

Enclosed for filing in the above-referenced patent application is a Supplemental Information Disclosure Statement, PTO-Form 1449 and references B1-B3 and C32-C37.

No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Assistant Commissioner is hereby authorized to deduct said fees from Arnold, White & Durkee Deposit Account No. 01-2508/UTXC:506/HIB.

Respectfully submitted,

*David W. Hibler*

David W. Hibler  
Agent for Applicants

DWH:clc

Encl. Supplemental Information Disclosure Statement  
PTO Form 1449 with references



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September 23, 1998

Date

David W. Hibler

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hong-Ji Xu, Shi-Xue Hu, William F.  
Benedict and Yunli Zhou

Serial No.: 09/026,459

Filed: February 19, 1998

For: MODIFIED RETINOBLASTOMA  
TUMOR SUPPRESSOR PROTEINS

Group Art Unit: 1635

Examiner: Unknown

Atty. Dkt. No.: UTXC:506/HIB

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(e)(1), Applicants hereby certify that each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present statement, as evidenced by the date of the enclosed search report.

The present Supplemental Information Disclosure Statement is also being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Assistant Commissioner is hereby authorized to deduct said fees from Arnold, White & Durkee Deposit Account No. 01-2508/UTXC:506/HIB.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

*David W. Hibler*

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